

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

ERNA BEUTEL,

Plaintiff,

v.

SPENTECH, INC. d/b/a SPENCER
TECHNOLOGIES, *et al.*,

Defendants.

CASE NO. C18-1266-JCC

ORDER

This matter comes before the Court on the parties' stipulation for entry of judgment (Dkt. No. 19). Having reviewed the stipulation, the Court ORDERS that:

1. Judgment be, and is hereby, entered in favor of Plaintiff Erna Beutel, individually and as trustee of the Erna Martin Beutel Trust, and against Defendants Scott Seidel and Spentech d/b/a Spencer Technologies, Inc., jointly and severally, in the sum of \$150,000.00;

2. Beutel may immediately take whatever actions are required to impose a judgment lien on Seidel's assets, real or personal. Except for the foregoing, Beutel shall not take any actions to enforce this judgment before July 1, 2019, except in the event a Change of Control¹

¹ "Change of Control" means either (i) the acquisition of Spentech by another person or entity by means of any transaction or series of related transactions to which Spentech is a party (including, without limitation, any stock acquisition, reorganization, merger, or consolidation, but excluding

1 occurs prior to July 1, 2019 and Beutel is not paid \$150,000.00 in satisfaction of the judgment
2 from the proceeds realized from that Change of Control within five days of the close of that
3 transaction, then Beutel may immediately take any action otherwise allowed by law to enforce
4 the judgment. Furthermore, in the event the judgment is not satisfied in full on or before July 1,
5 2019, Beutel may immediately take any action otherwise allowed by law to enforce this
6 judgment without further order of the Court;

7 3. Beutel may recover attorney fees and costs incurred in enforcing this judgment
8 against both Seidel and Spentech;

9 4. Post-judgment interest shall accrue hereon at a rate of 10% per annum, rather than
10 at the federal post-judgment rate, against both Seidel and Spentech, commencing on the date of
11 entry of this judgment;

12 5. The security agreement and previously filed UCC-1 Financing Statement
13 (specifically, the Financing Statement filed with the Washington Secretary of State on September
14 5, 2017, file number 2017-248-8771-1, (Dkt. No. 19 at 7)) imposing and perfecting a lien on the
15 assets of Spentech for the benefit of the Erna Martin Beutel Trust, shall survive entry of this
16 judgment and remain a perfected and enforceable lien against the assets of Spentech, securing
17 this judgment; and

18 6. If Seidel fails to cause the payment of \$150,000.00 to be paid to Beutel directly
19 from the proceeds of the Change of Control within five days of the close of that transaction (or
20 \$50,000.00, if Seidel has previously paid Beutel \$100,000.00), Seidel will be in contempt of
21 court, and Beutel may seek all remedies available for such contempt from the Court.

22 The Clerk is DIRECTED to close this case.

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26 any sale of securities for capital raising purposes); or (ii) a sale, lease, or other conveyance of all
or substantially all of the assets of Spentech.

1 DATED this 21st day of March 2019.

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5 John C. Coughenour
6 UNITED STATES DISTRICT JUDGE
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